

WILBORN & ASSOCIATES, P.C.

TIM WILBORN, ATTORNEY AT LAW — OSB # 94464

twilborn@mindspring.com

2020-C SW 8th Avenue, PMB # 294

West Linn, Oregon 97068

Voice: (503) 697-7019

Fax: (503) 697-7153

Attorney for Plaintiff

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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

MERNIE POLK,

CV 03-664-TC

Plaintiff,

vs.

ORDER

COMMISSIONER of Social Security,

Defendant.

Attorney fees in the amount of \$7,236.50 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). The court finds this is a reasonable fee. Previously, this court awarded \$5,000.00, pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. When issuing the § 406(b) check, the agency is directed to subtract the amount previously awarded under the EAJA, and to send to Plaintiff's attorney **at his current address above** the balance of \$2,236.50, minus any applicable user fee. Any withheld amount remaining (including the EAJA fee offset) after all attorneys fees are paid should be released to the claimant.

DATED this 18th day of JAN, 2006.



United States District Judge

Presented by:

/s/ Tim Wilborn, OSB # 94464

(503) 697-7019

Attorney for Plaintiff